

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSEPH A. HYLKEMA,

Plaintiff,

v.

CERTEGY PAYMENT RECOVERY
SERVICES, INC., et al.,

Defendants.

CASE NO. C05-203C

ORDER

This matter comes before the Court on Plaintiff's Motion to Tax Costs of Service Against Defendant Nationwide (Dkt. No. 14). The Court has carefully considered the papers filed by Plaintiff and hereby finds and rules as follows:

Pursuant to Fed. R. Civ. P. 4(d)(2), a corporation that receives notice of an action has a duty to avoid unnecessary costs of serving the summons. The notice must be in writing and addressed to the defendant, sent by first-class mail or other reliable means, and accompanied by a copy of the complaint. The notice also must inform the defendant of the consequences of failure to comply with the request, state the date when the request was sent, and allow the defendant at least 30 days to comply. If a defendant fails to comply with a plaintiff's request to waive service, the Court is to impose on the defendant the costs of effecting service.

1 On February 8, 2005, Plaintiff sent Defendant two copies of a Notice of Lawsuit and Request for
2 Waiver of Service of Summons, a Waiver of Service form, a copy of the complaint, and a prepaid return
3 envelope. Defendant did not return the Waiver of Service within the requested 60 days, and therefore
4 Plaintiff effected service on Defendant's registered agent.

5 The Court finds that Plaintiff has complied with Fed. R. Civ. P. 4(d)(2). Accordingly, the Court
6 hereby GRANTS Plaintiff's motion for \$105 in costs.

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8 SO ORDERED this 10th day of June, 2005.

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11 UNITED STATES DISTRICT JUDGE
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